



COMMONWEALTH of VIRGINIA
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Dr. Patricia I. Wright.
Superintendent of Public Instruction
Department of Education
Monroe Building
101 North 14th Street
Richmond, VA 23219

**Re: Repeal of Regulations Governing Fees and Charges (8 VAC 20-370-10 *et seq.*);
Amendment of Regulations Governing Local School Boards and School Divisions (8
VAC 20-720-10 *et seq.*)**

You ask whether the Board of Education possesses the requisite authority to repeal and amend the above-referenced regulations.

Section 22.1-16 vests the Board of Education with the authority to promulgate such regulations as may be necessary to carry out its powers and duties and the provisions of Title 22.1. The authority to amend or repeal such regulations is necessarily inherent in the authority to promulgate the regulations. In addition, the General Assembly has directed that local school boards may not levy any fees or charges on a pupil except as provided by Title 22.1 or as permitted by regulation of the Board. Accordingly, it is my view that the Board possesses the requisite authority to repeal, adopt and amend the above-referenced regulations.

The foregoing represents my personal view and is not an official opinion of the Attorney General. If you require additional assistance on this matter, please do not hesitate to contact me.

Yours truly,

Deborah A. Love
Senior Assistant Attorney General